



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY
AMBASSADOR CONROD HUNTE, DEPUTY PERMANENT REPRESENTATIVE
OF ANTIGUA AND BARBUDA TO THE UNITED NATIONS, ON AGENDA ITEM
118: PROGRAMME BUDGET FOR THE BIENNIUM 2008-2009 - CONDITIONS
OF SERVICE AND COMPENSATION FOR JUDGES, AT THE MAIN PART OF
THE SIXTY-THIRD SESSION OF THE FIFTH COMMITTEE OF THE GENERAL
ASSEMBLY (New York, 4 December 2008)**

Mr. Chairman,

1. I have the honour to speak on behalf of the Group of 77 and China on this important item.
2. We thank Ms. Marianne Brzak-Metzler, Chief, Conditions of Service Section, Office of Human Resources Management, for her introduction of the Secretary-General's report on the conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. We further wish to thank the Chairperson of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), Ms. Susan McLurg, for introducing the report of the Advisory Committee on this matter.
3. The Group of 77 and China reiterates in this opportunity that it attaches the highest importance to the work of the International Court of Justice (ICJ), and the Tribunals and, accordingly, considers that the members of the ICJ and the judges of the Tribunals should receive a compensation package commensurate with their high status and responsibilities.
4. The Group of 77 and China supports the key principles enshrined in the statutes of the ICJ and the Tribunals that the salary and allowances of the judges shall be fixed by the General Assembly and that they may not be decreased during the term of office. Bearing in mind the provisions of the statutes of the tribunals, the Group of 77 and China generally supports the principle of equity in the benefits to the judges of the tribunals with those of the ICJ. The Group also would like to ensure that the two tribunals receive the necessary support from the General Assembly to complete their mandates.
5. In respect to the proposals that we must consider today, the Group regrets that they were presented after an analysis provided by a consulting firm. We believe that there is enough in-house expertise to not have to resort to these sort of external services.
6. We believe, as the Secretary-General, that the pension scheme should provide adequate after-service benefits to judges having met the requisite eligibility criteria relating to retirement age and period of service based on the premise that the pension benefit maintains a standard of living as replacement income.
7. The Group stands ready to work with our partners to find a solution that is respectful of the statutes of the ICJ and the Tribunals on the basis of a pension scheme that remains non-contributory, determined by reference to years of service. The system that we shall adopt must ensure that the current level of pension for sitting members of the Court and judges of the Tribunals, and for those judges and their dependants who are currently receiving pensions is not diminished.

8. The Group of 77 and China wants to state also that any decisions reached with regard to the pension scheme of the members of the ICJ and of the judges of the Tribunals shall not constitute a precedent for any other category of the judges working within the UN system.

I thank you, Mr. Chairman.